



10-23-03

Attorney Docket No. 01387RE/HG

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Appl. No. : 10/609,224
Filed : June 27, 2003
Patent Owner: KYOTO PHARMACEUTICAL
INDUSTRIES, LTD.
Patentee : Shoji KAMIYA et al.
Patent No. : 6,063,806
Issue Date : May 16, 2000
Title : INDOLYL OR INDOLINYL
DERIVATIVES AND MEDICAL
USE THEREOF AS ACAT OR
LIPID PEROXIDATION
INHIBITORS
Art Unit : 1614
Confirm. No.: 9697
Customer No.: 01933

INFORMATION DISCLOSURE STATEMENT

COMMISSIONER FOR PATENTS
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Alexandria, VA 22313-1450

S I R :

Submitted herewith are:

- (1) Forms PTO/SB/08A and PTO/SB/08B. It is requested that an initialed copies of the forms PTO/SB/08A and PTO/SB/08B be returned to indicate that the publications listed therein have been considered and made of record; and
- (2) Copies of the publications listed on said PTO/SB/08A and PTO/SB/08B forms.

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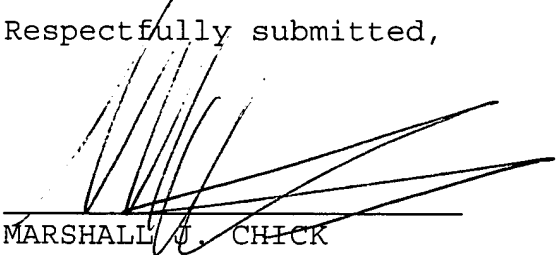
In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

Most of the documents were previously cited but no copies were provided. Copies of all of the listed documents are annexed. Not previously cited is USP 5,254,590.

It is respectfully requested that the attached publications be considered and made "of record".

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Respectfully submitted,



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PTO/SB/08A (08-00)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for Form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number		10/609,224	
		Filing Date		June 27, 2003	
		First Named Inventor		Shoji KAMIYA	
		Group Art Unit		1614	
		Examiner Name			
Sheet	1	2 of 3	Attorney Docket Number		01387RE/HG

U.S. PATENT DOCUMENTS

Exam. Inits*	Cite No ¹	Document Number	Kind Code ²	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion
		5,254,565	A	Meguro et al.	10-19-1993	
		5,356,920	A	Cozzi et al.	10-18-1994	
		5,952,354	A	Commons et al.	09-14-1999	
		5,990,150		Matsui et al.	11-23-1999	
		6,127,403		Matsui et al.	10-03-2000	

FOREIGN PATENT DOCUMENTS

Exam Inits*	Cite No ¹	Offc ³	Document Number ⁴	Kind Code ⁵	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion	T ⁶
		EP	0 354 994 A2		Takeda Chem. Ind.	02-21-1990		
		EP	0 635 501 A1		Amer. Home Prod.	07-19-1994		
		EP	0 622 356 A1		Sumitomo Parm. Co.	11-02-1994		
		EP	0 708 091 A1		Sumitomo Parm. Co.	04-24-1996		
		EP	0 793 140 A1		Fuji photo Film Co	09-03-1997		
		EP	0 325 397 A1		Yamanouchi Pharm.	07-26-1989		
		EP	0 447 116 A1		Yamanouchi Pharm.	09-18-1991		
		EP	0 472 116 A1		Takeda Chem. Ind.	02-26-1992		
		EP	0 512 570 A1		Fujisawa Pharm. Co	11-11-1992		
		EP	0 782 986 A1		Kyoto Pharm. Ind.	07-09-1997		

Examiner Signature		Date Considered	
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* EXAMINER: Initial if document considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Place a check here if English translation is attached.

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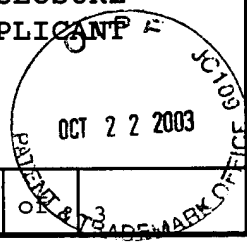
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			Group Art Unit		1614
			Examiner Name		
Sheet	2	OK	Attorney Docket Number		01387RE/HG



U.S. PATENT DOCUMENTS

Exam. Inits*	Cite No ¹	Document Number	Kind Code ²	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion
		4,803,218		Stanley et al	02-07-1989	
		5,153,226		Chucholowski et al	10-06-1992	
		5,219,859		Festal et al.	06-15-1993	
		5,254,590		Malen et al.	10-19-1993	

FOREIGN PATENT DOCUMENTS

Exam Inits*	Cite No ¹	Offc ³	Document Number ⁴	Kind Code ⁵	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion	T ⁶
		JP	4-66568		Takeda Chem. Ind.	03-02-1992		*

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		Examiner Name			
Sheet	3	of	3	Attorney Docket Number	01387RE/HG

OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Include name of author (in CAPITAL LETTERS), title of article, title of item, date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		<p>COMMUNICATIONS TO THE EDITOR, "Potential Antiatherosclerotic Agents. 5.¹ An acyl-CoA:Cholesterol O-Acyltransferase Inhibitor with Hypocholesterolemic Activity", J. Med. Chem. vol. 29, pp. 1131-1133 (1986).</p> <p>Yee et al., "A Novel Series of Selective Leukotriene Antagonists: Exploration and Timization of the Acidic Region in 1,6-Disubstituted Indoles and Indazoles", Journal of Medicinal Chemistry, vol. 33, No. 9, pp. 2437-2451 (1990).</p> <p>Matassa et al., "Evolution of a Series of Peptidoleukotriene Antagonists: Synthesis and Structure/Activity Relationships of 1,3, 5-substituted Indoles and Indazoles", Journal of Medicinal Chemistry, vol. 33, No. 6, pp. 1781-1790 (1990).</p> <p>Brown et al., "Evolution of a Series of Peptidoleukotriene Antagonists: Synthesis and Structure-Activity Relationships of 1,6-Disubstituted Indoles and Indazoles", Journal of Medicinal Chemistry, vol. 33, No. 6, pp. 1771-1781 (1990).</p>	
Examiner Signature		Date Considered	

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